IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2619 OF 2005

Ratilal Vishnu Gawade & Anr. ... Petitioners

V/s.

Kum.Vishal Dinesh Gawade & Ors. ... Respondents

Mr.R.V. More for Petitioner

CORAM: **S.A. BOBDE, J.**

DATED: **JUNE 15, 2005**

P.C.:

. The Petitioner has challenged the order of the trial Court dated 9.2.2005 holding that a Court can decide an injunction application if there is imminent danger to the property of the plaintiff at the hands of the defendant even if an application under section 10 is preferred by the defendant. The trial Court has decided this on the basis of the decision of the Supreme Court reported in **AIR 1998 SC 1952** and a decision of this Court. There is no reason to interfere. However, the Petitioner is at liberty to apply for a decision on the application under section 10 alongwith or immediately after the decision on the injunction application. No reason to interfere. Writ Petition is dismissed.